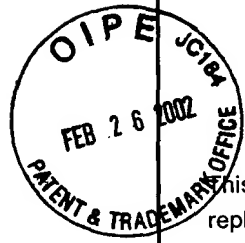


#17

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)	Docket Number (Optional) BB1316
---	------------------------------------



In re Application of STEPHEN M. ALLEN ET AL.	
Application Number 09/857,525	Filed
For PLANT CATABOLITE REPRESSION GENES	
Group Art Unit UNKNOWN	Examiner UNKNOWN

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension and appropriate non-small-entity fee are as follows (check time period desired):

- ☒ One month (37 CFR 1.17(a)(1)) \$110.
- ☐ Two months (37 CFR 1.17(a)(2)) \$ _____
- ☐ Three months (37 CFR 1.17(a)(3)) \$ _____
- ☐ Four months (37 CFR 1.17(a)(4)) \$ _____
- ☐ Five months (37 CFR 1.17(a)(5)) \$ _____
- ☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount shown above is reduced by one-half, and the resulting fee is: \$ _____.
- ☐ A check in the amount of the fee is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Commissioner has already been authorized to charge fees in this application to a Deposit Account.
- ☐ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 041928.
I have enclosed a duplicate copy of this sheet.
- I am th ☐ applicant/inventor.
- ☐ assignee of record of the entire interest. See 37 CFR 3.71
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).
- ☒ attorney or agent of record.
- ☐ attorney or agent under 37 CFR 1.34(a).
Registration number if acting under 37 CFR 1.34(a). _____.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

2-12-02
Date

Lori Y. Beardell
Signature

03/11/2002 MHGUYEN 00000040 041928 09857525

01 FC:115 110.00 CH

LORI Y. BEARDELL

Typed or printed name

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☐ *Total of _____ forms are submitted.

Burden Hour Statement: This form is estimated to take 0.1 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 110.00

Complete if Known

Application Number	09/857525
Filing Date	
First Named Inventor	STEPHEN M. ALLEN ET. AL.
Examiner Name	UNKNOWN
Group Art Unit	UNKNOWN
Attorney Docket No.	BB1316 US PCT

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number: 04-1928
Deposit Account Name: E. I. du Pont de Nemours and Company

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 740	201 370	Utility filing fee	
106 330	206 165	Design filing fee	
107 510	207 255	Plant filing fee	
108 740	208 370	Reissue filing fee	
114 160	214 80	Provisional filing fee	

SUBTOTAL (1) (\$) 0.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Extra Claims Fee from below Fee Paid
Total Claims -20** = 18.00
Independent Claims -3** = 84.00
Multiple Dependent Claims YES 280.00

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 84	202 42	Independent claims in excess of 3
104 280	204 140	Multiple dependent claim, if not paid
109 84	209 42	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 0.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for <i>ex parte</i> reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	110.00
115 110	215 55	Extension for reply within first month	
116 400	216 200	Extension for reply within second month	
117 920	217 460	Extension for reply within third month	
118 1,440	218 720	Extension for reply within fourth month	
128 1,960	228 980	Extension for reply within fifth month	
119 320	219 160	Notice of Appeal	
120 320	220 160	Filing a brief in support of an appeal	
121 280	221 140	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,280	241 640	Petition to revive - unintentional	
142 1,280	242 640	Utility issue fee (or reissue)	
143 460	243 230	Design issue fee	
144 620	244 310	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(q)	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 740	246 370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 740	249 370	For each additional invention to be examined (37 CFR § 1.129(b))	
179 740	279 370	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	

Other fee (specify) _____

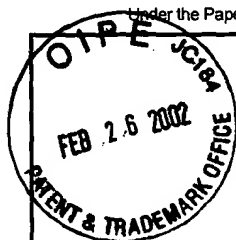
*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$) 110.00

SUBMITTED BY

Name (Print/Type)	LORI Y. BEARDELL	Registration No. (Attorney/Agent)	34,293	Telephone	(302) 992-4926
Signature	<i>Lori Y. BeardeLL</i>	Date	2-02-02		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Assistant Commissioner for Patents
Washington, D.C. 20231

on February 12, 2002
Date

Melissa McCullin

Signature

MELISSA MCCULLIN

Type or printed name of person signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

09/857,525

BB1316

PETITION FOR EXTENSION OF TIME

AMENDMENT

FEE SHEET

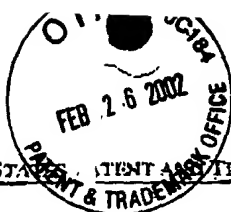
SEQUENCE LIST - CRF AND 24 PAGES

RETURN RECEIPT CARD

Statement under 37 CFR 1.82(g) + 1.825(b)



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

U.S. APPLICATION NUMBER	NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/857,525		Stephen M Allen	BB-1316

INTERNATIONAL APPLICATION NO.

PCT/US99/29825

LA. FILING DATE	PRIORITY DATE
12/15/1999	12/16/1998

Rizzo, Thomas M.
E I Du Pont De Nemours and Company
Legal Patent Records Center
1007 Market Street
Wilmington, DE 19898

CONFIRMATION NO. 5276

371 FORMALITIES LETTER



QC00000007186997

Date Mailed: 12/13/2001

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National File
- Priority Document
- Biochemical Sequence Diskette
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Oath or Declaration
- Request for Immediate Examination

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
 - A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
 - See attached Raw Sequence Listing Error Report
 - APPLICANT MUST PROVIDE:
 - An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.
- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
 - For Rules Interpretation, call (703) 308-4216
 - To Purchase PatentIn Software, call (703) 306-2600
 - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or

patin3help@uspto.gov

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended up to a maximum of six months.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

copy of this notice MUST be returned with the response.

BARBARA A CAMPBELL

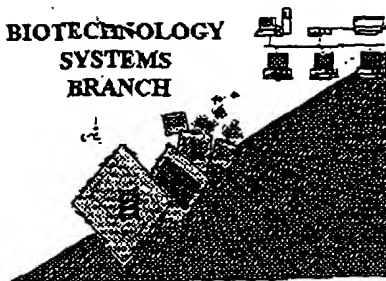
Telephone: (703) 305-3631

PART 2 - OFFICE COPY

U.S. APPLICATION NUMBER	NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/857,525		PCT/US99/29825	BB-1316

RAW SEQUENCE LISTING **ERROR REPORT**

BIOTECHNOLOGY
SYSTEMS
BRANCH



BC

The Biotechnology Systems Branch of the Scientific and Technical Information Center (STIC) detected errors when processing the following computer readable form:

Application Serial Number: 09/857,525

Source: Pt/09

Date Processed by STIC: 10/30/2001

THE ATTACHED PRINTOUT EXPLAINS DETECTED ERRORS.

PLEASE FORWARD THIS INFORMATION TO THE APPLICANT BY EITHER:

- 1) INCLUDING A COPY OF THIS PRINTOUT IN YOUR NEXT COMMUNICATION TO THE APPLICANT WITH A NOTICE TO COMPLY or,**
- 2) TELEPHONING APPLICANT AND FAXING A COPY OF THIS PRINTOUT, WITH A NOTICE TO COMPLY**

FOR CRF SUBMISSION QUESTIONS, PLEASE CONTACT MARK SPENCER, 703-308-4212.

FOR SEQUENCE RULES INTERPRETATION, PLEASE CONTACT ROBERT WAX, 703-308-4216.

PATENTIN 2.1: mail help: patin2help@uspto.gov or phone 703-306-4119 (R. Wax)

PATENTIN 3.0: mail help: patin3help@uspto.gov or phone 703-306-4119 (R. Wax)

TO REDUCE ERRORED SEQUENCE LISTINGS, PLEASE USE THE CHECKER VERSION 3.0 PROGRAM. ACCESSIBLE THROUGH THE U.S. PATENT AND TRADEMARK OFFICE WEBSITE. SEE BELOW:

Checker Version 3.0

The Checker Version 3.0 application is a state-of-the-art Windows based software program employing a logical and intuitive user-interface to check whether a sequence listing is in compliance with format and content rules. Checker Version 3.0 works for sequence listings generated for the original version of 37 CFR §§1.821 - 1.825 effective October 1, 1990 (old rules) and the revised version (new rules) effective July 1, 1998 as well as World Intellectual Property Organization (WIPO) Standard ST.25.

Checker Version 3.0 replaces the previous DOS-based version of Checker, and is Y2K-compliant. Checker allows public users to check sequence listings in Computer Readable form (CRF) before submitting them to the United States Patent and Trademark Office (USPTO). Use of Checker prior to filing the sequence listing is expected to result in fewer errored sequence listings, thus saving time and money.

Checker Version 3.0 can be downloaded from the USPTO website at the following address:
http://www.uspto.gov/web/offices/pac/checker

ERROR I: TECTED**SUGGESTED CORRECTION**

SERIAL NUMBER: 09/857,525

ATTN: N: V RULES CASES: PLEASE DISREGARD ENGLISH "ALPHA" HEADERS, WHICH WERE INSERTED BY PTO

1. **Unapped Nucleics**
Unapped Aminos
The number/text at the end of each line "wrapped" down to the next line. This may occur if your file was retrieved in a word processor after creating it. Please adjust your right margin to 3; this will prevent "wrapping."
2. **Ir lid Line Length**
The rules require that a line not exceed 72 characters in length. This includes white spaces.
3. **M igned Amino umbering**
The numbering under each 5th amino acid is misaligned. Do not use tab codes between numbers; use space characters, instead.
4. **N. -ASCII**
The submitted file was not saved in ASCII(DOS) text, as required by the Sequence Rules. Please ensure your subsequent submission is saved in ASCII text.
5. **V: able Length**
Sequence(s) contain n's or Xaa's representing more than one residue. Per Sequence Rules, each n or Xaa can only represent a single residue. Please present the maximum number of each residue having variable length and indicate in the <220>-<223> section that some may be missing.
6. **P: ntIn 2.0 ug**
A "bug" in PatentIn version 2.0 has caused the <220>-<223> section to be missing from amino acid sequences(s). Normally, PatentIn would automatically generate this section from the previously coded nucleic acid sequence. Please manually copy the relevant <220>-<223> section to the subsequent amino acid sequence. This applies to the mandatory <220>-<223> sections for Artificial or Unknown sequences.
7. **Sk ipped Sequences (C O RULES)**
Sequence(s) missing. If intentional, please insert the following lines for each skipped sequence:
(2) INFORMATION FOR SEQ ID NO:X: (insert SEQ ID NO where "X" is shown)
(i) SEQUENCE CHARACTERISTICS: (Do not insert any subheadings under this heading)
(ii) SEQUENCE DESCRIPTION: SEQ ID NO:X: (insert SEQ ID NO where "X" is shown)
This sequence is intentionally skipped

Please also adjust the "(ii) NUMBER OF SEQUENCES:" response to include the skipped sequences.
8. **Sk ipped Sequences (N W RULES)**
Sequence(s) missing. If intentional, please insert the following lines for each skipped sequence.
<210> sequence id number
<400> sequence id number
000
9. **Use of n's or Xaa's (N: / RULES)**
Use of n's and/or Xaa's have been detected in the Sequence Listing.
Per 1.823 of Sequence Rules, use of <220>-<223> is MANDATORY if n's or Xaa's are present.
In <220> to <223> section, please explain location of n or Xaa, and which residue n or Xaa represents.
10. **In id <213> Re: onse**
Per 1.823 of Sequence Rules, the only valid <213> responses are: Unknown, Artificial Sequence, or scientific name (Genus/species). <220>-<223> section is required when <213> response is Unknown or is Artificial Sequence
11. **Use of <220>**
Sequence(s) missing the <220> "Feature" and associated numeric identifiers and responses.
Use of <220> to <223> is MANDATORY if <213> "Organism" response is "Artificial Sequence" or "Unknown." Please explain source of genetic material in <220> to <223> section.
(See "Federal Register," 06/01/1998, Vol. 63, No. 104, pp. 29631-32) (Sec. 1.823 of Sequence Rules)
12. **P: ntIn 2.0 ug**
Please do not use "Copy to Disk" function of PatentIn version 2.0. This causes a corrupted file, resulting in missing mandatory numeric identifiers and responses (as indicated on raw sequence listing). Instead, please use "File Manager" or any other manual means to copy file to floppy disk.
13. **Use of n:**
n can only be used to represent a single nucleotide in a nucleic acid sequence. N is not used to represent any value not specifically a nucleotide.

RAW SEQUENCE LISTING

PATENT APPLICATION: US/09/857,525

DATE: 10/30/2001

TIME: 12:58:09

Input Set: A:\BB1316 PCT Seq List.txt

Output Set: N:\CRF3\10302001\I857525.raw

Does Not Comply
Corrected Diskette Needed

3 <110> APPLICANT: E. I. du Pont de Nemours and Company
 5 <120> TITLE OF INVENTION: Plant Catabolite Repression Genes
 7 <130> FILE REFERENCE: BB1316
 * 9 <140> CURRENT APPLICATION NUMBER: US/09/857,525
 10 <141> CURRENT FILING DATE: 2001-09-10
 12 <150> PRIOR APPLICATION NUMBER: 60/112,564
 13 <151> PRIOR FILING DATE: 1998-12-16
 15 <160> NUMBER OF SEQ ID NOS: 22
 17 <170> SOFTWARE: Microsoft Office 97

pp 1-2

ERRORS SEQUENCES

--> 880 <210> *16-159*
 881 <211> LENGTH: 16-159
 882 <212> TYPE: PRT
 883 <213> ORGANISM: Z. mays
 885 <220> FEATURE:
 886 <221> NAME/KEY: UNSURE
 887 <222> LOCATION: (S)
 * 889 <400> SEQUENCE: 10
 890 Val Ser Glu Tyr Leu Asn Leu His Thr Cys Tyr Asp Leu Leu Pro Asp
 891 1 10 15
 893 Ser Gly Lys Val Ile Ala Leu Asp Ile Asn Leu Pro Val Lys Gln Ser
 894 20 25 30
 896 Phe His Ile Leu His Glu Gln Gly Ile Pro Val Ala Pro Leu Trp Asp
 897 35 40 45
 * 899 Ser Xaa Lys Gly Gln Phe Gly Gly Pro Leu Ser
 900 50 55

→ see item 9 on
 Error Summary
 sheet

999 <210> SEQ ID NO: 1
 1000 <211> LENGTH: 514
 1001 <212> TYPE: DNA
 1002 <213> ORGANISM: Triticum aestivum
 1004 <400> SEQUENCE:
 1005 cttagatcaa atcagc tct agtgcattgcc accccttatg aatccttgag ggggtattgcc 60
 1006 atgaaaatac tcgaatc tgg catttctaca gtcccaatca totattcatc gtcattcagat 120
 1007 ggatcgtttc cgcagc gtt gcattcttgc tccctttcag gaattttgaa atgtatctgt 180
 1008 agatacttca agaactc cac tggtagtttg ccgattctaa accaaccagt atgctcaatt 240
 1009 ccgctggggt acctg gtt ccaaaaaatg ggtgaaccaa atggcatcca ttgggtatgt 300
 E--> 1010 tgccggccta atacat tct taactctgcc cttaacttgt tgggtcaagc tgggattat 360
 E--> 1011 tcaataccca ttggtg gat gataacgac cccttatttg acacataccc aagaagtgc 420
 E--> 1012 atcacatct tgcgaa gga aggtacacc ataccgcta gattagatga catcaacaag 480
 1013 gctgcaactc gggcaacc acc gaatcaottt gggg 514
 1015 <210> SEQ ID NO: 2
 1016 <211> LENGTH: 77
 1017 <212> TYPE: PRT
 1018 <213> ORGANISM: Triticum aestivum

→ item 9
 → item 9
 → item 9

p. 2

RAW SEQUENCE LISTING
PATENT APPLICATION: US/09/857,525

DATE: 10/30/2001
TIME: 12:58:09

Input Set: A:\BB1316 PCT Seq List.txt
Output Set: N:\CRF3\10302001\1857525.raw

1020 <400> SEQUENCE: 2
1021 Leu Val His Ala Thr Pro Tyr Glu Ser Leu Arg Gly Ile Ala Met Lys
1022 1 5 10 15
1024 Ile Leu Glu Thr Gly Ile Ser Thr Val Pro Ile Ile Tyr Ser Ser Ser
1025 20 25 30
1027 Ser Asp Gly Ser Phe Pro Gln Leu Leu His Leu Ala Ser Leu Ser Gly
1028 35 40 45
1030 Ile Leu Lys Cys Ile Cys Arg Tyr Phe Lys Asn Ser Thr Gly Ser Leu
1031 50 55 60
1033 Pro Ile Leu Asn Gly Pro Val Cys Ser Ile Pro Leu Gly
1034 65 70 75
1036 18

delete

VERIFICATION SUMMARY

PATENT APPLICATION: US/09/857,525

DATE: 10/30/2001

TIME: 12:58:10

Input Set : A:\BB1316 PCT Seq List.txt

Output Set: N:\CRF3\10302001\I857525.raw

9 M:270 C: Current Application Number differs, Replaced Application Number
10 M:271 C: Current Filing Date differs, Replaced Current Filing Date
878 M:258 W: Mandatory Feature missing, <223> not found for SEQ ID#:15
878 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:15
880 M:212 E: (34) Invalid or duplicate Sequence ID Number, SEQ ID NO
889 M:212 E: (34) Invalid or duplicate Sequence ID Number, SEQUENCE ID NOS:0 differs:16
899 M:258 W: Mandatory Feature missing, <223> not found for SEQ ID#:16
899 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:0
900 M:252 E: No. of Seq. differs, <211>LENGTH:Input:16 Found:59 SEQ:0
924 M:258 W: Mandatory Feature missing, <223> not found for SEQ ID#:17
924 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:17
928 M:258 W: Mandatory Feature missing, <223> not found for SEQ ID#:17
928 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:17
944 M:258 W: Mandatory Feature missing, <223> not found for SEQ ID#:18
944 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:18
1010 M:340 E: (46) "n" or "Xaa" used: Feature required, for SEQ ID#:21
340 Repeated in SeqNo=21
1036 M:332 E: (32) Invalid /Missing Amino Acid Numbering, SEQ ID:22